

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MICHAEL BOZEMAN, JR.,

Movant,

vs.

UNITED STATES OF AMERICA,

Respondent.

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Case No. 4:03CV1670 JCH

ORDER

This matter is before the Court upon its review of the record. In its Case Management Order, the Court required Respondent to provide either a sworn affidavit from Movant's trial counsel or the transcript from any hearing on the issue of ineffective assistance of counsel. (Doc. No. 5). Respondent has failed to provide the Court with either an affidavit or a transcript.

Accordingly,

IT IS HEREBY ORDERED that Respondent is granted until **Tuesday, January 31, 2006**, within which to submit to the Court a sworn affidavit from Movant's trial counsel, Bradford C. Emert on the issue of Movant's allegations of ineffective assistance of counsel. Failure to do so will result in the Court's issuing rulings without the affidavit.

Dated this 30th day of December, 2005.

/s/ Jean C. Hamilton

UNITED STATES DISTRICT JUDGE